

- h. List the name of each property, the site inventory number, and the source of information. If you have not previously surveyed the area, contact SHPO/THPO regarding previously surveyed properties in the area.

c. **Field Survey Results**

- f. Assess the eligibility of any potentially eligible historic districts, sites, buildings, structures, or objects that have not previously been identified that are located within the APE for the National Register of Historic Places and provide your eligibility assessment. For each property assessed, please reference Photos and Site Location Map. For identified properties, list the name and address of each property, the site inventory number, and the name of the consultant who performed the evaluation. *The EBC/THPO recommends to include NCP's and Sacred Sites*

- g. Are there any newly identified archaeological sites located within the APE? If so, describe their potential eligibility for the National Register of Historic Places and provide the Applicant's assessment of whether additional survey work is necessary. If Applicant has already completed an archaeological survey, please include the survey report with this checklist. For each site assessed, please reference Photos and Site Location Map. For identified properties, list the name and address of each property, the site inventory number, and the name of the consultant who performed the evaluation. *The EBC/THPO recommends to include NCP's and Sacred Sites*

- h. Describe the surrounding topography including modern intrusions, existing structures, and vegetation. Describe any previous ground disturbance.

c. **Summary and**

1. **Do any Historic Properties Exist Within the APE.** Applicant should continue to Section 3. **Determination of Effect.**

2. **Do any Archaeological Properties Exist Within the APE.** Applicant need not complete this section.

c. **Determination of Effect**

1. Review the Cumulative Adverse Effect and the guidelines found at Sections VI. A and VI. B. of the National Historic Preservation Act as the basis for Applicant's assessment. **Check one box** below which best describes the basis for your determination. The information provided through the use of this checklist should be sufficient for the Secretary of the Interior to determine the basis for determinations made about potential adverse effects on Historic Properties.

☐ **"No Historic Properties Affected"** means that there are Historic Properties present within the APE, but the undertaking will have no effect on them.

☐ **"No Adverse Effect"** means that there are Historic Properties within the Area of Potential Effects, but that the effects of the undertaking do not meet the Criteria of Adverse Effect. Explain how each criterion of Adverse Effect does not apply or how the Adverse Effect is being avoided.

☐ **"Adverse Effect"** means that there are Historic Properties within the Area of Potential Effects, the Applicant has applied the Criteria of Adverse Effect, and found that the undertaking will have an adverse effect on one or more Historic Properties that are eligible for or listed in the National Register of Historic Places. The following questions should be answered in the narrative:

1. Which Historic Properties will be adversely affected? Explain how.
2. Has the SHPO/THPO addressed Adverse Effects in previous communications?
3. What alternatives were considered that might avoid, minimize, or mitigate adverse effects? What conclusion was reached regarding the feasibility of each alternative?
4. How will the public be informed of developments regarding the Section 106 consultation process?
5. What mitigation options are proposed by the Applicant to resolve the adverse effect of the project?

6. Exhibits

a. Photos (Number all photos and key the photos to Photo Map)

- i. Color photos showing view from proposed tower site in all compass directions, labeled with N/S/E/W view from the tower. Photo coverage of 360 degrees is recommended. If surveyed properties are visible from the proposed tower site, include additional views from site towards Historic Properties and indicate distance between the site and each property. For all photos, label compass direction and date photos were taken.
- ii. Color photos of existing site conditions. Key photos to description of topography and previous ground disturbances in Field Survey section.
- iii. Color photos of potentially eligible Historic Properties that are reasonably available within the Area of Potential Effects. Include photos of all buildings greater than 45 years old. In urban areas where there are large numbers of buildings greater than 45 years old that do not appear to meet the National Register Criteria, Applicant may include a limited number of representative streetscape photos. However, in all cases Applicant must provide sufficient

photos in urban areas to support its eligibility assessment and effect determination.

b. Maps

- i. Topographic Map – 7.5-minute quad map showing location of proposed tower site. Show Area of Potential Effects. If map is copied from original, include key with name of quad and date.
- ii. Site Location Map – Mark location of proposed tower site and any new access roads required. Show Area of Potential Effects. Applicant must also show the location of any surveyed Historic Properties. Provide key for any symbols, colors, identifiers used.
- iii. Photo Map – Applicant may duplicate the Site Location Map (without the Historic Properties). Mark where all photos were taken and indicate direction of view.

c. SHPO comments, when available for completion of files.

ATTACHMENT 4**Collocation Submission Packet (Form CO, Cover Sheet, and Instructions)****Instructions for Collocation Submission Packet (Form CO)**

The Telecommunications Working Group of the Advisory Council on Historic Preservation (Council)¹ has developed this Submission Packet to assist carriers, broadcast companies, tower companies, cultural resource professionals and others involved with communications tower and antenna projects with preparation of the documentation required by the Section 106 historic preservation review process. Applicants may compare this Collocation Submission Packet (Form CO) with the New Tower Submission Packet (Form NT) (Attachment 3 to the Nationwide Agreement) to understand the similarities and differences.

As explained in the Nationwide Programmatic Agreement for Review of Effects on Historic Properties for Undertakings approved by the Federal Communications Commission ("Nationwide Agreement"), the Applicant should submit the Collocation Submission Packet (Form CO) only:

1. Where the proposed undertaking is not exempt from Section 106 review under the Nationwide Programmatic Agreement for the Collocation of Wireless Antennas ("Collocation Agreement") or the Nationwide Agreement; and
2. Where the Applicant proposes to collocate one or more antennas on an existing Tower² or a non-Tower structure.

Form CO should be completed by or on behalf of the Applicant and submitted to the State Historic Preservation Office ("SHPO") and/or Tribal Historic Preservation Office ("THPO") prior to any collocation that requires SHPO/THPO review under Section 106 of the National Historic Preservation Act ("NHPA"), the regulations of the Advisory Council on Historic Preservation ("Council"), the Collocation Agreement, this Nationwide Agreement, or any other programmatic agreement that may be applicable. Submission of a complete and accurate Form CO (with the supporting documentation requested in the Form) should be sufficient to enable the SHPO/THPO to complete its review of the Applicant's findings and determinations pursuant to Section VII of the Agreement.

¹ The Telecommunications Working Group (TWG), which includes representatives from industry, government, historic preservation, tribal, and other groups, was formed in 2000 by the Advisory Council on Historic Preservation to support and streamline the Section 106 process in its application to Undertakings.

² A "Tower" is any structure built for the sole or primary purpose of supporting Commission-licensed antennas and their associated facilities.

Although these Instructions and the attached Form CO are intended to provide guidance on the Section 106 process, they are not authoritative and, in the event of any *inconsistency, or other conflict, the sources referenced above shall apply.*

Exclusions

Neither the Form CO nor the Form NT need be submitted for any proposed collocation where Section 106 review is not required under the Collocation Agreement, this Nationwide Agreement, or any future programmatic agreement that excludes undertakings from such review.

I. Exclusions Under Nationwide Agreement Applicable to Collocations

A. Section III of the Nationwide Agreement identifies a number of situations where review of a proposed undertaking under Section 106 is not necessary.

B. In situations covered by Section III, Applicants should not provide a Submission Packet to the SHPO/THPO.

C. Where an undertaking is to be completed but no submission is made to the local SHPO/THPO because of the availability of one or more exclusions, the Applicant should retain in its files documentation of the basis for each exclusion should a question arise as to the Applicant's compliance with Section 106.

Upon provision to the SHPO/THPO of a Submission Packet (Form CO), the Applicant is deemed to have made a request for review of a finding(s), determination(s), or both for purposes of Sections VI and VII of this Nationwide Agreement and the review period specified in Section VII of this Nationwide Agreement will begin.

II. Exclusion under the Collocation Agreement

A. Pre- March 16th Towers. For Towers built *on or before* March 16, 2001, the Applicant must consider the following:

1. Will the proposed collocation result in a "substantial increase"³ in the size of the tower?

³ A "substantial increase" in the size of a tower generally occurs when a collocation, would involve: 1) an increase in the existing height of the tower by more than 10%; 2) the installation of more than the standard number of new equipment cabinets for the technology involved, not to exceed four, or more than one new equipment shelter; 3) an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; or 4) excavation outside the current tower site. For a more complete definition, see the Collocation Agreement, Section I.C. and the January 10, 2002, Commission Fact Sheet, "Antenna Collocation Programmatic Agreement Collocation Fact Sheet" ("Collocation Fact Sheet").

2. Is the tower subject to a pending environmental review or proceeding before the FCC involving NHPA compliance?
3. Has the tower been determined by the FCC to have an adverse effect that *has not been resolved through a Memorandum of Agreement (MOA)*, Programmatic Agreement (PA), the Nationwide Agreement, or other form of agreement?
4. Has the proposed collocation licensee or tower owner received notification from the FCC that the FCC has received a complaint that the collocation will have an adverse effect on one or more Historic Properties?

B. Post-March 16th Towers. For Towers built **after March 16, 2001**, the Applicant must consider the following:

1. Has Section 106 review process for the tower and any associated environmental reviews required by the FCC been completed?
2. Will the proposed collocation result in a "substantial increase" in the size of the tower?
3. Has the tower been determined by the FCC to have an adverse effect that has not been resolved through a Memorandum of Agreement (MOA), Programmatic Agreement, the Nationwide Agreement, or other form of agreement?
4. Has the proposed collocation licensee or tower owner received notification from the FCC that the FCC has received a complaint that the collocation will have an adverse effect on one or more Historic Properties?

C. Collocations of Antennas on Buildings and Non-Tower Structures. For antennas to be mounted on buildings or other non-Tower structures, the Applicant should review Section V. of the Collocation Agreement and the Collocation Fact Sheet for applicable exclusions from Section 106 review.

If the answer to all of the applicable questions above is "No," then it is not necessary to provide a Submission Packet to the local SHPO/THPO. The proposed collocation is exempt from Section 106 review process pursuant to the Collocation Agreement or this Nationwide Agreement.

Where an undertaking is to be completed but no submission is made to the local SHPO/THPO because of the availability of one or more exclusions, the Applicant should retain in its files documentation of the basis for each exclusion should a question arise as to the Applicant's compliance with Section 106.

Cover Sheet for Collocation Submission Packet (Form CO) [separate page]

1. Key findings and determinations:
 - a. ☐ No Historic Properties in APE
 - b. ☐ "No effect" on Historic Properties in APE

- c. ☐ "No adverse effect" on Historic Properties in APE
d. ☐ "Adverse effect" on Historic Properties in APE.
2. Full name of Applicant with name, address, e-mail address, and telephone number of Applicant's contact person(s) on this project.
3. Full name of Consultant or other representative acting on behalf of Applicant with name, address, e-mail address, and telephone number of contact person(s) on this project. Attach summary of consultant's qualifications.
4. Project name and any project number(s) assigned by Applicant, Consultant, or others.
5. Project Status:
- a. ☐ Installation planned but not yet commenced;
b. ☐ Other _____
c. ☒ **Construction planned but not yet commenced**
d. ☐ **Constructed commenced on [date] but not yet completed**
6. Provide exact location of project. To the extent reasonably available, the location information should include the street address, longitude and latitude, and a legal description of the location.

Elements of Collocation Submission Packet (Form CO) [separate page]

Background.

a. Structure. This Form CO pertains to collocation of antenna(s) on: ☐ A Tower or ☐ A Non-Tower Structure (check one)

b. Completion. Date Tower/Non-Tower Structure (cross out one) constructed _____

c. Section 106 Review. Has Tower or non-Tower structure completed Section 106 review? If so, list the date completed and SHPO/THPO reference number. If structure has been exempted from Section 106 review through a programmatic agreement, describe the basis for the exemption. **The EBCI/THPO recommends copy of comments of SHPO to be sent to THPO's**

1. Contact Information

Date: _____

Name of Applicant/ Company: _____

Address of Applicant: _____

Phone: _____ Fax: _____

Applicant's Representative/Consultant: _____

Title: _____

Address: _____

Phone: _____ Fax: _____

Email Address: _____

Applicant will be:

- ☐ Tower Owner ☐ Carrier using Tower⁴
☐ Non-Tower Structure Owner ☐ Carrier using non-Tower Structure
☐ Other (explain) _____

For additional information, SHPO/THPO should contact:

- ☐ Applicant ☐ Applicant's Representative ☐ Other (explain)

Correspondence should be addressed to:

- ☐ Applicant ☐ Applicant's Representative ☐ Other (explain)

2. Site Information

a. Site name and Identification Number: _____

Identification Number above is:

- ☐ temporary reference number used by consultant, or
☐ permanent reference number used to identify the tower
☐ other (explain): _____

b. Street Address of Site: _____

City: _____ State: _____ Zip: _____

⁴ PCIA suggests deleting the box for "Carrier using New Tower."

- County: _____ Township: _____
- c. Nearest Cross Roads: _____ / _____
- d. Site Coordinates UTM or Latitude/Longitude (if available).
- e. Existing Tower height: _____ or existing non-Tower structure height _____ (provide heights above ground and above sea level).
- f. Proposed height of non-Tower structure after collocation (provide heights above ground and above sea level).
- g. Current area of compound : _____
- h. Proposed increased area of compound _____
- i. Describe any new excavation outside the current leased or owned property including compound, access road or utility easement. **In addition describe construction methods/plans for project** If none, so state.
- j. (1) How many new equipment cabinets will be added? _____
(2) How many new equipment shelters will be added? _____
- k. Tower type (if applicable)
☐ guyed tower ☐ monopole ☐ self-supporting ☐ other
- l. Type of tower lighting, (if applicable) _____
- m. Describe surrounding land use of leased or owned property and any access roads, utility lines, or other easements related to the site.

3. Initiating Section 106 Consultation

- a. **State and/or Tribal Historic Preservation Officers** – List SHPO/THPO with jurisdiction over this project.
- i. Could this project potentially affect Historic Properties located on tribal lands? If so, identify tribes contacted. If not, explain how this determination was made.
- ii. Could this project potentially affect Historic Properties located off tribal lands to which an Indian tribe or Native Hawaiian Organization attaches religious and cultural significance? If so, identify tribes contacted. If not, explain how this determination was made.

- b. **Public Involvement** – Because applicable rules require notice to the public of such undertakings and an opportunity to comment that reflects the nature and complexity of the undertaking, describe measures taken to obtain public involvement in this project.
- c. **Local Government** – Has local government been contacted as a consulting party pursuant to Section V.A. of the Nationwide Agreement? If so, list local government agencies contacted. If not, explain why this has not occurred.
- d. **Additional Consulting Parties**– List any additional consulting parties (individuals or organizations with demonstrated interest in the project) that have been identified and that have been contacted.

4. Identification of Historic Properties

Attach continuation sheets as necessary; include key locations of all Historic Properties to maps and key descriptions of Historic Properties to photos.

- a. **Area of Potential Effects (APE)** – Describe the APE for the proposed project and how this APE was determined, see Section VI B. of the Nationwide Agreement.

b. Previously Identified Historic Properties

- i. Are there any National Historic Landmarks located within the APE? If so, list the name and address of each property.
- ii. Are there any properties or historic districts located within the APE that are listed in the National Register of Historic Places? If so, list the name and address of each property and the source of survey information.
- iii. Are there any properties or historic districts located within the APE that have been determined eligible for listing in the National Register of Historic Places? If so, list the name and address of each property and the source of survey information.
- iv. If Applicant surveyed any previously evaluated historical sites due to the passage of time, changing perceptions of significance, or incomplete prior evaluations, identify and describe these properties. List the name and address/vicinity of each property, the site inventory number, and the source of survey information. Contact SHPO/THPO regarding previously surveyed archeological sites.

The EBCI/THPO makes reference to iii and iv above and must include: are there any properties of cultural or religious significance to Tribes (TCP's; Sacred Sites?

c. Field Survey Results

- i. Evaluate the eligibility of any potentially eligible historic districts, sites, buildings, structures, or objects that have not previously been identified that are located within the APE for the National Register of Historic Places, and provide your eligibility assessment. For each property assessed, please reference Photos and Site Location Map. For identified properties, list the name and address of each property, the site inventory number, and the name of the consultant who performed the evaluation. **The EBCI/THPO recommends to include TCP's and Sared Sites.**
- ii. Are there any newly identified archaeological sites located within the APE? If so, evaluate their potential eligibility for the National Register of Historic Places, and provide Applicant's assessment of whether additional survey work is necessary. If Applicant has already completed an archaeological survey, please include survey report with this checklist. For each site assessed, please reference Photos and Site Location Map. For identified properties, list the name and address of each property, the site inventory number, and the name of the consultant who performed the evaluation. **The EBCI/THPO recommends to include TCP's and Sared Sites.**
- iii.
- iv. Describe surrounding topography including modern intrusions, existing buffering, and vegetation. Describe any previous ground disturbance.

d. Determination

- ☐ **Historic Properties Exist Within the APE.** Applicant should continue to Section 5; Determination of Effect.
- ☐ **No Historic Properties Exist Within the APE.** Applicant need not complete Section 5.

5. Determination of Effect

Use the Criteria of Adverse Effect and the guidelines found at Sections VI.A. and VI. B of the Nationwide Agreement as the basis for Applicant's assessment. **Check one box below and attach narrative** that explains the basis for your determination. The documentation compiled through the use of this checklist should be sufficient for reviewing parties to clearly understand the basis for determinations made about potential project effects on Historic Properties.

- ☐ **"No Historic Properties Affected"** means that there are Historic Properties present in the APE, but the undertaking will have no effect on them.
- ☐ **"No Adverse Effect"** means that there are Historic Properties within the Area of Potential Effects, but that the undertaking does not meet the Criteria of Adverse Effect.

Explain how each criterion of Adverse Effect does not apply or how the Adverse Effect is being avoided.

☐ **“Adverse Effect”** means that there are Historic Properties within the Area of Potential Effects, that the Applicant has applied the Criteria of Adverse Effect, and found that the undertaking will have an adverse effect on one or more Historic Properties that are eligible for or listed in the National Register of Historic Places. The following questions should be answered in the narrative:

1. Which Historic Properties will be adversely affected? Explain how.
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4. How will the public be informed of the developments regarding the Section 106 consultation process?
5. What mitigation options are proposed by the applicant to resolve the adverse effect of the project?

2. Exhibits

a. Photos (Number all photos and key the photos to Photo Map)

- i. Color photos showing view from proposed site in all compass directions, labeled with N/S/E/W view from the tower. Photo coverage of 360 degrees is recommended. If surveyed properties are visible from the proposed site, include additional views from site towards Historic Properties and indicate distance between the site and each property. For all photos, label compass direction and date photos were taken.
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- i. Topographic Map – 7.5-minute quad map showing location of proposed tower site. Show Area of Potential Effects. If map is copied from original, include key with name of quad and date.
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C. SHPO comments, when available, for completion of files

**STATEMENT OF
CHAIRMAN MICHAEL K. POWELL**

*Re: In the Matter of Nationwide Programmatic Agreement Regarding the Section 106
National Historic Preservation Act Review Process*

Earlier this month, I announced the launch of the Commission's Environmental and Historic Preservation Action Plan. The goal of the plan is to improve our ability to protect valuable historic and environmental resources, while at the same time accelerating the process of deploying necessary communications infrastructure. The Nationwide Programmatic Agreement is a vital piece of that plan and I am committed to moving forward to finalize the Agreement as soon as possible.

The proposed agreement seeks to clarify the regulatory muddle and delay that has beset many tower-construction proposals by defining key terms, establishing public-participation standards and describing how to submit projects to State Historic Preservation Officers. Our goal is to identify promptly those proposed sites that do impact historic sites and develop mitigation plans or alternative siting plans that allow services to be deployed in those areas. The proposed agreement will also serve to allow those sites that do not have any potential historic impact to move forward without regulatory delay.

We developed this proposed agreement in consultation with the Advisory Council on Historic Preservation and the National Conference of State Historic Preservation Officers. I want to thank the members and staff of each of these bodies for their participation in crafting the draft Nationwide Agreement. I also wish to thank the United South and Eastern Tribes and other tribes and tribal organizations for their insights on the review process with respect to properties of traditional religious and cultural importance to Indian tribes or Native Hawaiian organizations. Working together, we have developed an innovative proposal for enhancing historic preservation, eliminating unnecessary regulatory burdens and encouraging cooperation among parties.